

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

BARBARA DUMAS,

Plaintiff,

-vs-

Case No. 14-C-1321

CAROLYN W. COLVIN,
Acting Commissioner of Social Security,

Defendant.

DECISION AND ORDER

Plaintiff Barbra Dumas (“Dumas”) seeks leave to proceed *in forma pauperis* (“IFP”) (ECF No. 4) on her appeal from the denial of her application for social security supplemental security income. In order to authorize a litigant to proceed IFP, the Court must make two determinations: First, whether the litigant is unable to pay the costs of commencing this action; and second, whether the action is frivolous or malicious. 28 U.S.C. §§ 1915(a) and (e)(2)(B)(i). The Court must deny a request to proceed IFP if (1) the allegation of poverty is untrue; (2) the action is frivolous; (3) the action fails to state a claim; or (4) the action seeks monetary relief against an immune defendant. 28 U.S.C. § 1915(e)(2).

By her petition and affidavit to proceed IFP, Dumas avers that she is unemployed and married. Dumas receives \$194 in public assistance that she uses to buy groceries; her husband has no income. Dumas owns no valuable tangible or intangible property. She has \$3.00 in cash or a financial account. She resides with her daughter who provides her with shelter, telephone service, and personal care items including medications.

Based on the information provided, Dumas has satisfied the requirements of 28 U.S.C. § 1915(a) by demonstrating that she is unable to pay the \$350 filing fee for this action. Furthermore, Dumas' Complaint states an arguable claim for relief. Accordingly, Dumas' petition for leave to proceed IFP is granted.

**NOW, THEREFORE, BASED ON THE FOREGOING, IT IS
HEREBY ORDERED THAT:**

Dumas' petition for leave to proceed IFP (ECF No. 4) is **GRANTED**.

Dated at Milwaukee, Wisconsin, this 24th day of October, 2014.

BY THE COURT:


HON. RUDOLPH T. RANDA
U.S. District Judge